

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 13TH AUGUST 2007 / 22ND SRAVANA 1929

WP(C).No. 14764 of 2007(G)

PETITIONER:

K.SREEDHARAN NAIR,
KARUNA HOUSE,
P.O.KAKKANCHERY,ULLIERI,
KOZHIKODE.

BY ADV. SRI.P.R.SREEJITH

RESPONDENTS:

1. THE REGIONAL TRANSPORT OFFICER,
VADAKARA.
2. THE DEPUTY TAHSILDAR,
REVENUE RECOVERY,
VADAKARA.

BY ADV. SHRI.P.N.SANTHOSH, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 13/08/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(C) No. 14764/2007

APPENDIX

PETITIONER'S EXHIBITS

- P1 : COPY OF THE RC BOOK OF KRG 399.
- P2 : COPY OF THE COMMUNICATION DATED 28/10/1998.
- P3 : COPY OF PROCEEDINGS DATED 18/05/1999.
- P4 : COPY OF THE REQUEST DATED 25/9/2004.
- P5 : COPY OF THE AUCTION NOTICE DATED 12/04/2007.

// TRUE COPY //

PA TO JUDGE.

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 14764 of 2007

Dated, this the 13th day of August, 2007

J U D G M E N T

Even though interim order was passed on 08/05/2007 directing payment of Rs. 25,000/- as condition for stay, petitioner did not comply with the same and therefore, sale notified is perfectly in order. However, since petitioner has now undertaken to clear the arrears in easy instalments, I dispose of the writ petition directing 2nd respondent to withhold the sale, if petitioner remits Rs. 20,000/- before the time notified for sale. If payment as above is made in time, petitioner is granted ten equal monthly instalments to clear the balance arrears, first of which will be paid on or before 15th September and balance on or before 15th day of nine succeeding months. RR will be kept in abeyance on payment as above and if payment is made as above, RR will be closed without recovering collection charges but after recovering the cost of publication and other expenses incurred by respondents. If petitioner commits default in payment of any of the instalments, the instalment facility granted will stand automatically vacated on first default and respondents can continue recovery proceedings.

Issue photocopy today itself.

(C.N.RAMACHANDRAN NAIR, JUDGE)